

1 NINA F. LOCKER, State Bar No. 123838
2 CAZ HASHEMI, State Bar No. 210239
3 DIANE M. WALTERS, State Bar No. 148136
4 WILSON SONSINI GOODRICH & ROSATI
5 Professional Corporation
650 Page Mill Road
Palo Alto, CA 94304-1050
Telephone: (650) 493-9300
Facsimile: (650) 565-5100
Email: dwalters@wsgr.com

E-filed 5/18/07

6 Attorneys for Defendants John R. Ambroseo,
7 Gerald C. Barker, Dennis C. Bucek,
8 Charles W. Cantoni, Kevin P. Connors,
9 Vittorio Fossati-Bellani, Robert M. Gelber,
10 John H. Hart, James L. Hobart, Kevin McCarthy,
Paul L. Meissner, Gary W. Rogerson,
Helene Simonet, Luis Spinelli, James L. Taylor,
Lawrence Tomlinson, Ronald A. Victor,
Sandee Vij and Nominal Defendant Coherent, Inc.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

15 JAMES M. LEE,) CASE NO.: C-07-0955-JF
16 Derivatively on Behalf of COHERENT, INC.,)
17 Plaintiff,)
18 v.)
19 JOHN R. AMBROSEO, BERNARD J.)
20 COUILAUD, HELENE SIMONET, LUIS)
21 SPINELLI, VITTORIO FOSSATI-BELLANI,)
22 RONALD A. VICTOR, PAUL L. MEISSNER,)
23 SCOTT H. MILLER, DENNIS C. BUCEK,)
24 CHARLES W. CANTONI, SANDEEP VIJ,)
25 JOHN H. HART, LAWRENCE TOMLINSON,)
26 ROBERT J. QUILLINAN and GARRY W.)
ROGERSON,)
Defendants,)
- and -)
COHERENT, INC., a Delaware corporation,)
Nominal Defendant.)

28 STIPULATION AND [PROPOSED] ORDER
TO CONTINUE CASE MANAGEMENT
CONFERENCE, CASE NOS. C-07-0955-JF; C-
07-1264 JF; C-07-1265-JF

1 J. DAVIS BARTHOLOMEW,) CASE NO.: C-07-1264-JF
2 Derivatively on Behalf of COHERENT, INC.,)
3 Plaintiff,)
4 v.)
5 JOHN R. AMBROSEO, BERNARD J.)
COUILAUD, HELENE SIMONET, LUIS)
6 SPINELLI, VITTORIO FOSSATI-BELLANI,)
RONALD A. VICTOR, PAUL L. MEISSNER,)
7 SCOTT H. MILLER, DENNIS C. BUCEK,)
CHARLES W. CANTONI, SANDEEP VIJ,)
8 JOHN H. HART, LAWRENCE TOMLINSON,)
ROBERT J. QUILLINAN and GARRY W.)
9 ROGERSON,)
10 Defendants,)
11 - and -)
12 COHERENT, INC., a Delaware corporation,)
13 Nominal Defendant.)
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15 MICHAEL WERNER,) CASE NO.: C-07-1265-JF
Derivatively on Behalf of COHERENT, INC.,)
16 Plaintiff,)
17 v.)
18 BERNARD J. COUILAUD, JOHN R.)
AMBROSEO, CHARLES W. CANTONI, JOHN)
H. HART, ROBERT J. QUILLINAN, JAMES L.)
20 HOBART, HENRY E. GAUTHIER, ROBERT)
M. GELBER, SCOTT H. MILLER, KEVIN P.)
21 CONNORS, GERALD C. BARKER,)
VITTORIO FOSSATI-BELLANI, JAMES L.)
22 TAYLOR, KEVIN MCCARTHY, LUIS)
SPINELLI, RON VICTOR, and HELENE)
23 SIMONET,)
24 Defendants,)
25 - and -)
26 COHERENT, INC.,)
27 Nominal Defendant.)
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1 WHEREAS, plaintiff James Lee has filed a motion to consolidate the above-captioned
2 shareholder derivative actions and to appoint lead plaintiff and lead counsel, and plaintiff
3 Michael Werner has filed a separate motion to consolidate these actions and to appoint lead
4 counsel;

5 WHEREAS, the hearing regarding plaintiff Lee's and plaintiff Werner's motions to
6 consolidate and to appoint lead plaintiff and/or lead counsel is set for May 25, 2007 at 9:00 a.m.;

7 WHEREAS, the Initial Case Management Conference is currently set for May 25, 2007;

8 WHEREAS, the parties wish to avoid the premature preparation of multiple case
9 management submissions prior to the consolidation of the above-referenced actions and the
10 designation of lead plaintiff and/or lead counsel;

11 IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned,
12 subject to the approval of the Court, that the Initial Case Management Conference in the above-
13 captioned actions shall be continued until thirty (30) days after the date of entry of an order
14 consolidating the actions and appointing lead counsel and/or lead plaintiff, or such other later
15 date that the Court deems appropriate, and that the related case management deadlines shall be
16 adjusted accordingly.

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1 **IT IS SO STIPULATED.**

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3 Dated: May 16, 2007

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6 WILSON SONSINI GOODRICH & ROSATI
7 Professional Corporation

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9 By: /s/ Diane M. Walters
10 Diane M. Walters

11 Attorneys for Defendants John R. Ambroseo,
12 Gerald C. Barker, Dennis C. Bucek,
13 Charles W. Cantoni, Kevin P. Connors,
14 Vittorio Fossati-Bellani, Robert M. Gelber,
15 John H. Hart, James L. Hobart, Kevin
16 McCarthy, Paul L. Meissner, Gary W.
17 Rogerson, Helene Simonet, Luis Spinelli,
18 James L. Taylor, Lawrence Tomlinson,
19 Ronald A. Victor, Sandeep Vij, and
20 Nominal Defendant Coherent, Inc.

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22 Dated: May 16, 2007

23

24 HELLER EHRMAN LLP

25

26 By: /s/ Charles R. Jaeger
27 Charles R. Jaeger

28 Attorneys for Defendant Scott H. Miller

29

30 Dated: May 16, 2007

31

32 FARELLA BRAUN & MARTEL LLP

33

34 By: /s/ C. Brandon Wisoff
35 C. Brandon Wisoff

36 Attorneys for Defendant Bernard J. Couillaud

1 Dated: May 16, 2007

LERACH COUGHLIN STOIA GELLER
RUDMAN & ROBBINS, LLP

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3

By: /s/ Shawn Williams
Shawn Williams

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5

Attorneys for Plaintiff James M. Lee

6

7 Dated: May 16, 2007

SCHIFFRIN BARROWAY TOPAZ &
KESSLER, LLP

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By: /s/ Nichole Browning
Nichole Browning

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Attorneys for Plaintiff Michael Werner

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1 I, Diane M. Walters, am the ECF user whose identification and password are being used
2 to file the STIPULATION AND [PROPOSED] ORDER TO CONTINUE INITIAL CASE
3 MANAGEMENT CONFERENCE. In compliance with General Order 45.X.B, I hereby attest
4 that Charles R. Jaeger, C. Brandon Wisoff, Shawn Williams, Nichole Browning and Frank
5 Johnson have concurred in this filing.

6
7 Dated: May 16, 2007

WILSON SONSINI GOODRICH & ROSATI
Professional Corporation

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9 By: /s/ Diane M. Walters
10 Diane M. Walters